

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

NADINE TOWNSEND,

Plaintiff,

v.

No. 13-CV-1602
(TJM/CFH)

TRUSTCO BANK,

Defendant.

THOMAS J. McAVOY
Senior United States District Judge

DECISION and ORDER

I. INTRODUCTION

This *pro se* action was referred to the Hon. Christian F. Hummel, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b) and Local Rule N.D.N.Y. 72.3(c). In his February 12, 2014 Report-Recommendation and Order [dkt. # 4], Magistrate Judge Hummel ordered that Plaintiff's *in forma pauperis* application (dkt. # 2) be granted; ordered that Plaintiff's request for appointment of counsel (dkt. # 3) be denied;¹ and recommended that the action be dismissed in its entirety pursuant to 28 U.S.C. § 1915(e)(2)(B) because, *inter alia*, the alleged claims were brought beyond the applicable statute of limitations. See Rep. Rec. & Order, dkt. # 4, pp. 2-6. No objections to the Report-Recommendation and Order have been filed, and the time to do so has expired.

¹The denial was without prejudice only if Magistrate Judge Hummel's recommendation for dismissal is rejected, which is not the case here.

II. DISCUSSION

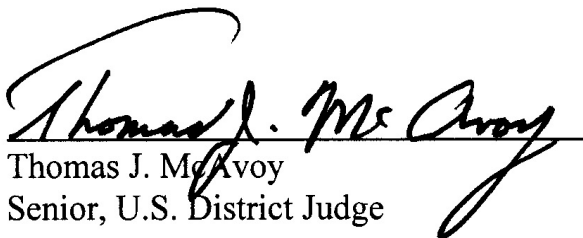
After examining the record, this Court has determined that the Report-Recommendation and Order is not subject to attack for plain error or manifest injustice.

III. CONCLUSION

Accordingly, the Court **ADOPTS** the Report-Recommendation and Order for the reasons stated therein. Plaintiff's complaint is **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2)(B) because, *inter alia*, the alleged claims were brought beyond the applicable statute of limitations.

IT IS SO ORDERED.

Dated: May 13, 2014


Thomas J. McAvoy
Senior, U.S. District Judge